

VZCZCXYZ0016
PP RUEHWEB

DE RUEHMO #0038/01 0121355
ZNR UUUUU ZZH
P 121355Z JAN 09
FM AMEMBASSY MOSCOW
TO RUEHC/SECSTATE WASHDC PRIORITY 1459
RUEHC/DEPT OF LABOR WASHDC
INFO RUEHGV/USMISSION GENEVA 5256

UNCLAS MOSCOW 000038

SIPDIS

DOL/ILAB FOR TINA MCCARTER
STATE DRL/ILCSR FOR TU DANG

E.O. 12958: N/A

TAGS: [ELAB](#) [EIND](#) [ETRD](#) [PHUM](#) [SOCI](#) [USAID](#) [RS](#)

SUBJECT: CHILD LABOR INFORMATION FOR TRADE AND DEVELOPMENT ACT (GSP)
REPORT

REF: STATE 127448

11. (U) The following is geared to reftel questions paras 6 through 11

Incidence and Nature of Child Labor

12. (U) Child labor in Russia encompasses not only Russian children, but often children from neighboring countries. Some children are brought to Russia for the purpose of exploitation, while others come with migrant worker parents. In urban areas, children can be found working primarily in the informal sector in retail services, selling goods on the street, washing cars, repairing automobiles, making deliveries, collecting trash, and begging. In rural areas, it is more common to see children working in agriculture. Among street children, boys are usually involved in hard physical labor, while girls are more likely to work in trade and, occasionally, prostitution.

13. (U) Homeless and orphaned children on the streets are often engaged in prostitution as a means to survive. Child sex tourism and commercial sex exploitation remains a concern, especially in St. Petersburg, Moscow, and other large Russian cities. Domestic trafficking of children from rural areas to urban centers and from one region to another also occurs.

Child Labor Laws and Enforcement

14. (U) The law sets the minimum age of employment at 16 years, with some exceptions. Children who have either completed their basic general education or have left the general educational system may work at age 15. Children at least 14 years old may, with parental consent, perform light work that is not harmful to their health or education. Children younger than 14 may, with parental consent, participate in the creation and/or performance of art works that are not harmful to their health and moral development. Normal working hours for employees younger than 16 are 24 hours per week, and 36 hours per week for employees between 16 and 18. Workers younger than 16 may work longer than 5 hours per shift, and for workers between 16 and 18, a shift may not exceed 7 hours. Children under 18 are prohibited from engaging in night work, unhealthy or dangerous work, underground work, or work that may be injurious to their moral development. Employers must medically screen any prospective employees younger than 18; once hired, these employees must also pass annual medical surveys provided at the expense of the employer.

15. (U) Forced child labor is punishable by imprisonment from three to five years. Acts directed towards organizing prostitution that involve minors are punishable by imprisonment of up to six years with no minimum sentence. If the minor is under 14 years, the term of imprisonment is three to ten years. Involving a minor in prostitution, or compelling a minor to continue to engage in prostitution is punishable by three to eight years of imprisonment.

Sexual intercourse committed with a person less than 16 years is punishable by up to four years of imprisonment. In addition, the creation and circulation of pornography that knowingly depicts minors is punishable by a term of imprisonment of up to six years. The term of imprisonment is three to eight years if the minor is under 14. Trafficking of a known minor is punishable by a sentence of three to ten years of imprisonment if committed by a single individual. The sentence for members of an organized group engaging in any form of trafficking is eight to fifteen years. The minimum age for military conscription is 18 years.

Government Initiatives to Eliminate the Worst Forms of Child Labor and Improve Well-Being of Children

¶6. (U) In 2007 and 2008, as in previous years, the Government of Russia had only modest success in developing measures to better protect children's rights and interests, including labor rights.

¶7. (U) In June 2008, Russia ratified the Optional Protocol of the UN Convention of Child's Rights on Prohibiting the Involvement and Recruitment of Children in Armed Conflicts. In July 2008, the Russian government established the Fund for Children's Support. By the end of 2008, approximately USD 190 million was allocated to the Fund in order to prevent child abuse, to provide social support to orphans and disabled children, and to promote the social rehabilitation of disadvantaged children. Nonetheless, the rate of poverty among children and families with children remains high, and there is no comprehensive government program to alleviate the plight of children who become victims of trafficking, sexual exploitation and labor abuse.

¶8. (U) Despite certain international obligations, Russia still has not developed a national plan or strategy to promote the interests

REPORT

and rights of children. There exist no federal ombudsman for children's issues nor other federal bodies with powers to develop and implement policies to defend children's rights and interests. However, regional institutes/ombudsmen for children's issues do function in 21 Russian regions.

¶9. (U) Russia has not ratified the Optional Protocol of the UN Convention of Child's Rights on Child's Trafficking, Prostitution, and Pornography. Nor has Russia ratified the European Convention on Child's Rights. This is of special concern given that, according to the Prosecutor's General Office, the annual market for child pornography in Russia is estimated to be more than USD 5.2 billion. Officially, there were 299 crimes registered in 2007 concerning production and distribution of child's pornography, with 72 individuals convicted for this crime. The current Criminal Code does not fully reflect high societal danger of various forms of child's sexual exploitation: sex tourism, erotic massage, telephone sex, striptease show and the like.

¶10. (U) According to the Investigation Committee of the Prosecutor General's Office, in the first nine months of 2008 as many as 1,622 children suffered from criminal offences, including 784 victims of sexual offences. The Russian government has taken some measures to prevent violence against children. In December 2008, President Medvedev introduced amendments to the Law on Principal Guarantees of Child's Rights. In particular, the amendments limit the presence of minors and teenagers in public places during the night time. The rule was already practiced in 15 Russian regions and has had some effect on diminishing the number of criminal offences against minors.

¶11. (U) The Federal Labor and Employment Service is responsible for monitoring child labor violations. Between 2006 and the first half of 2007, 8,529 cases of child labor violations were registered by the Service in 3,584 inspections. Approximately USD 15,400 in administrative fines were issued to employers. Still, the Russian Labor Code lacks provisions aimed specifically at eliminating child labor violations.